

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

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### for April 28, 2004 PLANNING COMMISSION MEETING

**P.A.S.:** Street and Alley Vacation #04002

**PROPOSAL:** Vacate the remaining portion of 47<sup>th</sup> Street right-of-way between the north line of "W" Street and the south line of the vacated Missouri Pacific Railroad right-of-way.

**LOCATION:** 47<sup>th</sup> and "W" Streets.

**LAND AREA:** 9,660 square feet, more or less.

**CONCLUSION:** The vacation of this portion of 47<sup>th</sup> Street conforms to the Comprehensive Plan provided easements are retained for public utilities.

<b><u>RECOMMENDATION:</u></b>	Conforms to the Comprehensive Plan
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### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** The remaining portion of the N. 47<sup>th</sup> Street right-of-way between the north line of W Street and the south line of the vacated Missouri Pacific Railroad right-of-way, located in the NW 1/4 of Section 20 T10N R7E, Lancaster County, Nebraska

### **SURROUNDING LAND USE AND ZONING:**

North:	MoPac trail	H-2 Highway Business
South:	Commercial	H-2 Highway Business
East:	Commercial	H-2 Highway Business
West:	Commercial	H-2 Highway Business

### **HISTORY:**

Jun 1995 Administrative Final Plat #95028 Hotovy Heights was approved. Lot 1 included the 47<sup>th</sup> Street right-of-way that had already been vacated.

Nov 1994 Street and Alley Vacation #94012 approved vacating the west 30 feet of 47<sup>th</sup> Street in this location.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The Land Use Plan identifies this area as Commercial. (F 25)

**UTILITIES:** Alltel, LES, and Time-Warner Cable all have facilities within this right-of-way and have requested easements for existing and future facilities.

**ANALYSIS:**

1. This is a request to vacate the remaining portion of 47<sup>th</sup> Street located between "W" Street and the MoPac trail.
2. The other half of the original 60' right-of-way has been vacated and platted over. This right-of-way was never paved, although it does currently contain utilities.
3. This vacation will not leave any lots without street frontage.
4. The Parks and Recreation Department considered the option of retaining a trail easement from "W" Street to the MoPac trail, but chose not to.
5. Three of the four applicants have expressed an intention to purchase the entire right-of-way if vacated.
6. Easements should be retained for existing and future utility facilities.

**BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:**

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code must be met.
- 1.2 Easements must be retained over the entire vacated area for existing and future utilities.

Prepared by:

Greg Czaplewski, 441.7620, gczaplewski@ci.lincoln.ne.us

**Date:** April 14, 2004

**Applicants:** Thu H. and Tommy Le  
7425 Stevens Ridge Road  
Lincoln, NE 68516  
466.4556

Triton Enterprises, Inc.  
921 North 48<sup>th</sup> Street  
Lincoln, NE 68504  
466.7811

Randall and Suzanne Nelson  
6320 Yellowstone Circle  
Lincoln, NE 68510  
488.2690

Lincoln Goodyear Employees Federal Credit Union  
4638 "W" Street  
Lincoln, NE 68506

**Owners:** Same as Applicants.

**Contacts:** Same as Applicants.



2002 aerial

# **Street & Alley Vacation #04002** **N 47th & W St.**

Holdrege St.

## **Zoning:**

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
 Sec. 20 T10N R7E

